

**AMENDMENT TO THE  
FEDERAL RULES OF EVIDENCE**

**Rule 804. Hearsay Exceptions; Declarant Unavailable**

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(b) Hearsay exceptions. – The following are not excluded by the hearsay rule if the declarant is unavailable as a witness:

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(3) Statement against interest. – A statement that was at the time of its making so far contrary to the declarant's pecuniary or proprietary interest, or so far tended to subject the declarant to civil or criminal liability, or to render invalid a claim by the declarant against another, that a reasonable person in the declarant's position would not have made the statement unless believing it to be true. But in a criminal case a statement tending to expose the declarant to criminal liability is admissible under this

subdivision in the following circumstances only:

(A) if offered to exculpate an accused, it is supported by corroborating circumstances that clearly indicate its trustworthiness, or

(B) if offered to inculcate an accused, it is supported by particularized guarantees of trustworthiness.

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